

VIRGINIA BOARD OF MEDICINE LEGISLATIVE COMMITTEE MINUTES

Thursday, October 29, 2004

Department of Health Professions

Richmond, VA

CALL TO ORDER: The meeting of the Board convened at 8:13 a.m.

MEMBERS PRESENT: Malcolm Cothran, Jr., MD, President
Christine Bridge
Carol Comstock, RN
Alvin Edwards, M.Div., Ph.D.
Suzanne Everhart, DO
J. Thomas Hulvey, MD

MEMBERS ABSENT: Stephen Heretick, JD

STAFF PRESENT: Karen Perrine, Deputy Executive Director, Discipline
Kathleen Nosbisch, Deputy Executive Director, Practitioner Information
Ola Powers, Deputy Executive Director, Licensing
Emily Wingfield, Assistant Attorney General
Colanthia Morton Opher, Recording Secretary

ADOPTION OF AGENDA

Dr. Edwards moved to adopt the agenda as presented. The motion was seconded and carried.

PUBLIC COMMENT

There was no public comment.

APPROVAL OF THE MINUTES OF MAY 27, 2004

Dr. Everhart moved to approve the minutes of the May 27, 2004 meeting. The motion was seconded and carried with Dr. Edwards abstaining.

REGULATORY ACTIONS

18 VAC 90-30 Regulations Governing the Licensure of Nurse Practitioners

Ms. Perrine advised these regulations were previously published for public comment. The Joint Boards of Nursing and Medicine reviewed the public comment received and recommended a modification to the proposed regulations. The matter is before the Legislative Committee to make recommendation to Board regarding the modification and public comment.

Dr. Edwards moved to recommend to the Board adoption of final regulations with a change to make very clear that the degree in the appropriate nurse practitioner specialty was a graduate degree. Dr.

Cothran suggested that 18 VAC 90-30-80(A)(2) read as follows: "Submit evidence of a graduate degree in a nursing or b the appropriate nurse practitioner specialty from an educational"... The motion was seconded and carried.

Delegation to agency subordinate

Ms. Perrine advised that the proposed regulations were to replace the emergency regulations currently in effect. The purpose of these regulations is to define those matters that the Board has determined would be appropriate for hearing or disposition by an agency subordinate and the criteria for qualification as an agency subordinate.

Ms. Bridge asked for clarification on "default of student loan" and whether the Board distinguishes in the language private or public loans/contracts. After discussion, Dr. Hulvey moved recommend to the full board to adopt the proposed regulations to replace emergency regulations, with a modification to 18VAC85-15-20 as follows:

Cases that may be delegated....

5. Default on federal- or state- guaranteed educational loan or work-conditional scholarship or work conditional grant for the cost of attendance for a health professions education.

The motion was seconded and carried.

Fast Track Regulations

Ms. Perrine advised that the current regulations do not clearly include a provision for reports of adverse actions to be reported to the Practitioner Information System within 30 days.

Ms. Comstock moved to recommend to the Executive Committee that the regulations proceed on a fast track to amend 18 VAC 85-20-280. The motion was seconded and carried.

Clinical Reports from Out-of-State and Related Matters

Ms. Comstock recommended that an Ad Hoc Committee be formed to address the out-of-state clinical reports and telemedicine in general.

Request from MSV Regarding Physician-Physician Assistant Relationships

The Committee directed staff to prepare an informational article regarding the approval process for protocols and outlining the requirements of the Code and the regulations. The article should be published in the Board Briefs and separately on the Webpage and be available to interested parties to publish or disseminate.

Report from the Committee of the Joint Boards of Nursing and Medicine

Ms. Perrine advised this report was for information only unless the Committee felt action was needed. The Committee accepted the report, and made no recommendations.

Next scheduled meeting: April 22, 2005

With no other business to conduct, the meeting was adjourned at 9:48 a.m.

Malcolm Cothran, Jr., MD
President

William L. Harp, M.D.
Executive Director

Colanthia M. Opher
Recording Secretary